

Exhibit # 19

December 29, 2016

**Karen Devore
Whispers of our Forgotten Animal Rescue
113 Robin Drive
South Mills, NC 27976**

**New Hampshire Supreme Court Attorney Discipline Office
4 Chenell Drive
Suite 102
Concord, NH 03301**

To Whom It May Concern:

I would like to file a grievance against Michael F. McCall, who is the local prosecutor for the Pelham Police Department located at 14 Village Green in Pelham, New Hampshire.

On December 13, 2016, at 9:06 PM, I made a Facebook post on my personal page with regard to the condition of our dog, Ally and her condition while in the custody of the Pelham Police and ACO officer, Allison Caprigno, also of the Pelham Police Department. I have attached a snapshot of the Facebook post.

On December 14, 2016 at 8:14 AM, I received a call from Mr. McCall that I believe to fall under "unethical conduct" in that he threatened to use the powers of his office to illegally confiscate the property of our rescue, of which I am President. He threatened that if I did not take the post down, he would refund the monies paid to get our 8 puppies and their mother back and would go to court and petition the court to give custody of them to the Pelham Police Department. He was literally screaming at me over the telephone.

The following is the history of this case:

The Vice President of our Rescue, Mary Anne Veres of Long Island, NY contacted ACO Officer Caprigno on the Friday prior to the dogs being seized (October 14, 2016) as evidence in an animal cruelty case, asking that the ACO go to the home of the accused and if need be, remove our animals if she deemed necessary. Mary Anne was informed by ACO Caprigno that the accused would not allow them in his home (during the phone call) and asked if we talked to him, for him to contact her and to allow her to go into his home. The pups and their mother were seized on October 18, 2016. We were never notified and had to hear of the seizure from people on the internet who had seen the newspaper or news broadcasts involving the dogs. As President of the Rescue, I contacted ACO Caprigno as soon as I heard of the seizure. She took our information and said she would get back to us in a "couple

of days" as she was going through all kinds of emails and phone messages of people and rescues claiming they were the legal owners of the dogs.

I'm sorry I did not keep better records and cannot tell you the exact day or time of my first contact with Prosecuting Attorney Michael McCall. What I can tell you is that Mr. McCall, on our first telephone contact told me that he really didn't know what was going on and that he was not "up to date" on the case, having just received it not long ago (approximately a week or two). I considered our dogs and our rescue as victims and that the State was representing us. I soon found that to be a figment of my imagination as Mr. McCall stated to me that he believed our paperwork to be falsified as they were getting information from a rescue in NY (Looking Glass Animal Rescue run by Jody Stern-Harris) in which we were being vilified. We were made to jump through hoops and were given no information on our animals, other than they were in a better setting than they had been with our foster, the accused. We were lied to about the dogs and given NO pictures, medical data, etc., even after McCall went to court and had the dogs released from evidence and was given the okay to return them to their owners. He berated me for wanting to go over the charges, time and time again told me he did not know anything about our dogs and when I insisted upon accurate accounting for all costs, he tried to bully us and said none of the other rescues had a problem with the monies charged. This, on the heel of stating that everyone else had turned their animals over to the courts and that their animals were going to a New Hampshire Rescue. We were pressed very hard to relinquish our rights to our dogs as well, stating if we took them, we were letting the accused get away with not having to account for his deeds through restitution. Again, when we pushed back and refused to relinquish the dogs, it was another month (give or take a day or two) before Mr. McCall and ACO Caprigno would finally release our dogs back to us, instead running up boarding and medical bills to the tune of \$2991.00 and change.

Again, we were given no information on our dogs; being told only that they were being cared for better than they had been with the accused. Until all fees were paid, we were not given any access to any medical records and when we finally got the records, it was obvious why we were pressed so hard to relinquish. One of the ACO's, the one in Hudson, NH where our 9 animals were being housed, poisoned one of the puppies by the ACO's careless handling of cleaning chemicals. We were told only that one of our puppies had gotten sick and when we pressed for information, we were told "puppies get sick". The mother, Ally, was initially examined upon intake on October 18, 2016, and it was recommended that she have a skin scrape done to rule out mange versus poor care. Under Mr. McCall, as the prosecuting attorney, it was over 6 weeks before the skin scrape was done, instead allowing Ally to suffer needlessly while the ACO's involved, without medical expertise, suggested to the vet that her alopecia was due to food allergies, she was given prednisone which is contraindicated for a dog with mange, and finally, on December 2, 2016, a skin scrape was finally done and Demodex Mange was found. If we had not insisted on retaining ownership of our dogs, we never would have been privy to any of this

information. We were told, in fact, that as soon as the bill was paid, by ACO Caprigno, that she would hit "send" and send us copies of the medical records.

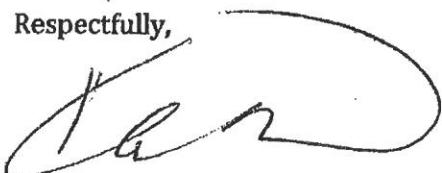
Please note that it is my personal opinion that Prosecuting Attorney Michael McCall and the Pelham Police Department committed gross negligence verging on Animal Cruelty during the handling of this case while the animals were in their care. I also believe Mr. McCall and the Pelham Police Department attempted to cover up their negligence by pressuring us to relinquish the dogs to them.

I am including all the medical records and the Health Certificate we received and I would also like to state that the Health Certificate issued by Mr. McCall's office under ACO Allison Caprigno failed to follow both federal and state protocols for New Hampshire and North Carolina. There are multiple errors on the form and it is now a "legal document". Not only did they send all 8 of the puppies without any vaccinations, they also exported Ally out of state, without a rabies vaccination and/or certificate. ACO Caprigno insisted on obtaining the Health Certificate herself. Furthermore, Mr. McCall and ACO Caprigno, by not following federal or state Department of Agriculture rules, potentially put animals in NC, NH and every state the animals travelled through in jeopardy. This too, I find unethical and I believe is illegal.

I thank you for taking the time to read this grievance and I am in the hopes that Mr. McCall will be investigated thoroughly and reprimanded for his unethical actions.

If you need any further information, please do not hesitate to contact me either by email at karenadevore@gmail.com, by phone 252-207-6580, fax 757-257-8722 or by regular mail at 113 Robin Drive, South Mills, NC 27976.

Respectfully,

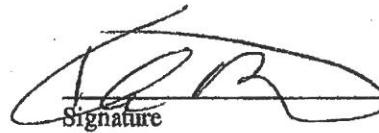


Karen DeVore, President & Co-Founder
Whispers of our Forgotten Animal Rescue

Your grievance must be signed under oath.

I hereby swear or affirm under the pains and penalties of perjury that the information contained in this grievance is true to the best of my knowledge.

29 December 2016
Date

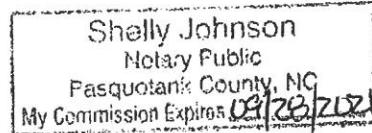


Signature

State of North Carolina
County of Camden

On this 29th day of December 2016 personally appeared the above named Karen DeVore known to me (or satisfactorily proven) to be the person whose name is above subscribed and swore or affirmed that the facts above are true to the best of his / her knowledge.

Shelly Johnson
Justice of the Peace/ Notary Public



CERTIFICATION OF COPIES

Michael F. McCall

advs.

Karen DeVore

Name/s of Attorney/s (Respondent/s)

Name/s of Complainant/s

I/We hereby certify that a copy of the enclosed

Grievance

(Complaint, Response, etc.)

has been forwarded to all of the following complainants, respondents, and counsel for complainants and respondents in the Attorney Discipline Office matter, pursuant to New Hampshire Supreme Court Rule 37A(VII), and that I/we have included a copy of all attachments or enclosures submitted with it:

Name

Address

Michael McCall

14 Village Green, Pelham, NH 03076

Date: **29 December 2016**

Signature

Date:

Signature

Karen DeVore

Printed Name/s

113 Robin Drive

Address

South Mills, NC 27976

Address

252-207-6580

Telephone Number

Exhibit # 20



Karen DeVore shared her post.

December 15 at 9:52am · ▾



Karen DeVore added 2 new photos — with Becky Weddle and 3 others.

December 14 at 9:06pm · ▾

Does anyone remember Ally that was seized by the PELHAM, NH POLICE DEPARTMENT as "evidence" in the Animal Cruelty case brought by another rescue and a ex girlfriend against Kevin Rocheville? How about her puppies that were only 2.5 weeks old ... Poor Ally I just want to cry!!! This is how the Pelham, NH police department took care of Ally - 1 picture is Ally when they took her on 10/18/16 and the other picture is of her today!

Since Ally has been held by the Pelham Police under the supervision of Animal Control Officer Allison Caprigno, she has a bad case of Demodex Mange and looks to be very underweight.

More info to follow tomorrow when we finally get them home here in NC. We can't say any more now as Officer Caprigno failed to send us their medical records from 10/18/16 to present and stated she had other dogs and her own dogs to take care of tonight. Poor poor Ally.

Exhibit # 21

Matt Keenliside

From: Michael F. McCall <mmccall@pelhampolice.com>
Sent: Wednesday, December 14, 2016 6:40 PM
To: Matthew Keenliside
Subject: Re: Rocheville may pay for the dogs tonight at PPD

Follow Up Flag: Follow up
Flag Status: Flagged

Excellent. Thanks.

Sent from my iPhone.

Michael F. McCall
Attorney / Prosecutor
Pelham Police Department
(603) 635-6960

Confidentiality Notice: This e-mail transmission and any accompanying material contain confidential information and is intended only for disclosure to and use by the addressee(s) named above. Distribution, publication, reproduction or use of this transmission and materials, in whole or in part, by any person other than an intended recipient is prohibited. If you have received this e-mail erroneously, please notify me immediately by telephone at (603) 635-6960 so that I may arrange to protect these documents.

On Dec 14, 2016, at 18:24, Matthew Keenliside <mkeenliside@pelhampolice.com> wrote:

Atty. McCall,

Rocheville came in just now and paid \$2,990.60 for 1 dog & 8 puppies. Allison & I each counted the money and bagged it. He was given a receipt. Allison asked if he wished to pay for Kingston, as well. He responded "contact my lawyer" and stared at me awkwardly the whole time. The money and property receipt are in temp storage locker #7.

Good luck....

Sergeant Matt Keenliside
Pelham, NH Police Department

From: Michael F. McCall
Sent: Wednesday, December 14, 2016 4:53 PM
To: Matthew Keenliside; Brian Barbato; Glen Chase
Cc: Kimberly Cunio
Subject: Rocheville may pay for the dogs tonight at PPD
Importance: High

Sergeants,

Exhibit # 22

••••• VZW Wi-Fi

6:59 PM

Home

Julieann McElaney >
Messenger



Allison called him the vicious
little man

Poor thir

I wanted to take them home so
badly I felt bad for



If I hear any news about your
dogs I will certainly let you
know

Have u heard anything abo
ally? Her pups?



No but if I hear anything I will
let you know

Exhibit # 23



Kristin Sweeney <ksweeney.cfw@gmail.com>

Fwd: Dogs

2 messages

Roger Chadwick <attychadwick@gmail.com>
To: Kristin Sweeney <ksweeney.cfw@gmail.com>

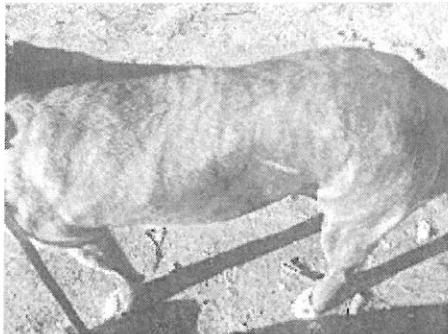
Sun, Dec 11, 2016 at 8:27 PM

----- Forwarded message -----

From: Kevin Rocheville <Teceqp@aol.com>
Date: Sat, Dec 10, 2016 at 9:36 AM
Subject: Dogs
To: Roger Chadwick <attychadwick@gmail.com>

The news people are driving by my home I left to go to work I'm thinking this is going to get stupid very fast I'm keeping my head down best I can LMAO and my ex girl friend is calling every 20 mins I'm not taking calls she said ACO in emailing her questions

Sent from my iPhone

**IMG_1439.JPG**
4257K**Roger Chadwick** <attychadwick@gmail.com>
To: ksweeney.cfw@gmail.com

Wed, Dec 14, 2016 at 10:08 AM

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Kevin Rocheville <Teceqp@aol.com>
Sent: Wednesday, December 14, 2016 9:59 AM
To: attychadwick@gmail.com
Subject: Dogs

Good morning Rusty

I just had long conversation with Karon Devoe in relation to the care of these animals " rescue" dogs, Karon has explained that the Pelham NH Police Department has in fact fabricated these charges against me because these vet bills don't show that in fact these dogs were treated for Gerardia or other issues that I'm charged for in fact they vindicate me. The facts are very clear too her in fact she is reporting Macall too the NH Bar Association for his Gross

Exhibit # 24

9/15/21, 12:21 PM

Pelham man accused of animal cruelty has dogs once again – Boston 25 News

PELHAM, NH — A New Hampshire man charged with animal cruelty and neglect is now a dog owner once again.

25 Investigates has learned that some of the dogs removed from that man's home have been returned to his care.

Kevin Rocheville's trial for 10 counts of animal cruelty was scheduled to start Friday, but a surprising deal struck with prosecutors has not only kept him out of jail but put dogs back in his house.

ADVERTISEMENT



**New 2021 Benefit
Increases Social
Security Payments**

Older Americans are getting as much as \$1,728/year added to their SS payments due to a useful "Giveback" Rebate benefit in 2021.

[Check your eligibility >>](#)

BestMedicarePlans

Police said when officers went to Rocheville's home in Pelham last October, the house was overrun by foster and rescue dogs.

"They were definitely neglected," said Lt. Anne Perriello,

According to court documents, officers seized 18 dogs in total and suspect Rocheville had dumped and abandoned even more in surrounding communities. Police said the dogs were standing in urine and feces and were trapped in deplorable conditions.

"Dogs in the past were stuck in that bathroom for a while...there were a lot of scratches on the back of the door, it was horrible," Perriello told 25 Investigates.

After Rocheville was arrested, the 10 charges against him were dropped when Rocheville paid the \$6,000 veterinary bill for the seized dogs.

[\[>>RELATED: Man allegedly did 'happy dance' after running over, beating animal\]](#)

A judge then ruled that three of those 18 dogs be returned to Rocheville's home.

In an email obtained by 25 Investigates, Pelham's Animal Control officer expressed concern about the deal, saying "While I think it's not ideal, we had to look at the big picture and a deal had to be made to get the other dogs released to rescue and into a better life."

We asked if it was usual that dogs would be returned to an accused abuser, and the officer replied, "Uh, not normally. I think it's safe to assume that he was thinking he was doing a good thing, and when it came down to it, he got overwhelmed."

Ultimately, police said that decision by the courts was out of their hands. Pelham's Animal Control Officer also did checks three times a week for months to ensure the three dogs remained in good health.



ADVERTISEMENT



Sections ≡

Weather • Video • News • Sports • Traffic • More

• Upload Photos • Steals and Deals

81°



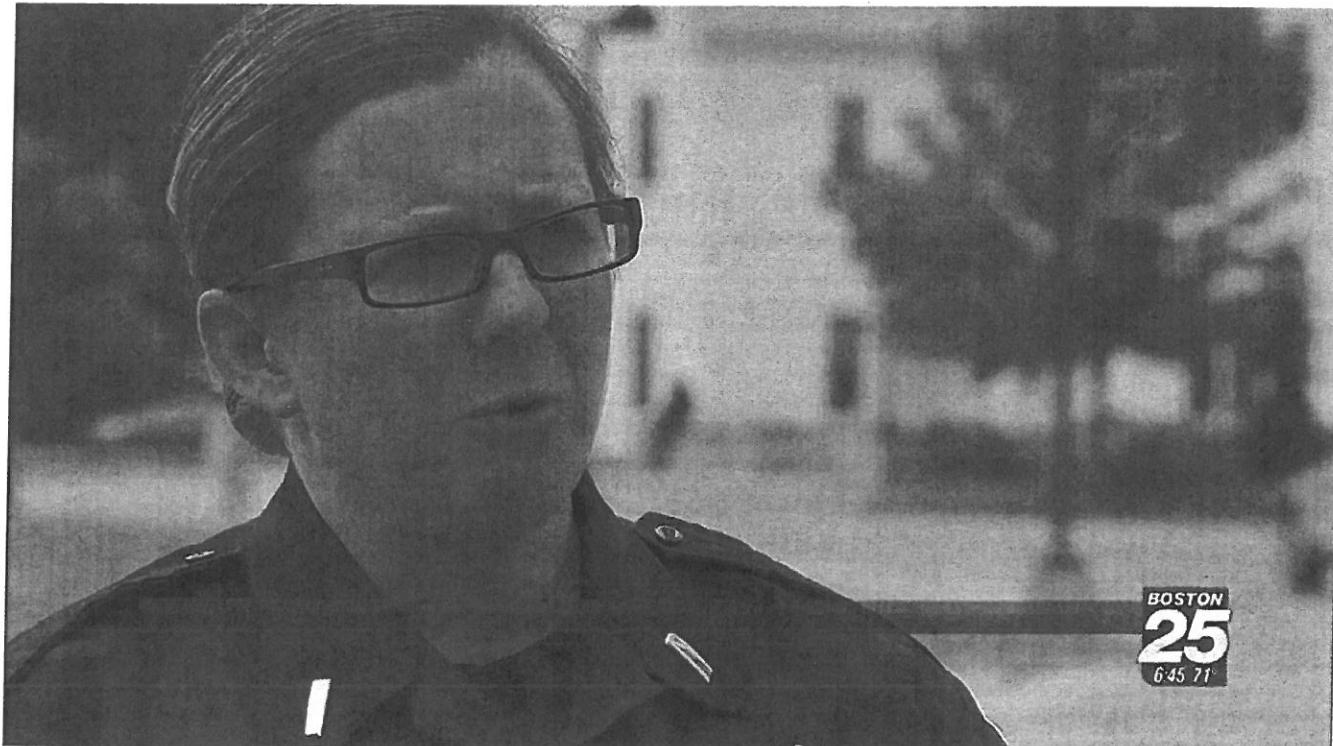
WATCH LIVE

X BREAKING NEWS | [MassDOT mobilizes emergency contract to secure staircase near JFK/UMass T stop](#)

1/2 < >

X ! WEATHER ALERT | Severe Thunderstorm Watch

Pelham man accused of animal cruelty has dogs once again



June 09, 2017 at 6:54 pm EDT

A man at Rocheville's home Friday didn't identify himself and referred us to his lawyer. There was barking coming from inside the home.

[>>RELATED: Man allegedly did 'happy dance' after running over, beating animal]

In a statement, Rocheville's lawyer Rusty Chadwick said, "The story of this case, and the real concern, are these shelters from other parts of the county that guilt people into taking dogs. They play on people's emotions and that's what happened here. Kevin and his former partner tried to care for too many dogs and got overwhelmed. Kevin has a good heart and loves animals. That's what hurts him the most, because now he looks like public enemy number one. He's presumed 150 percent guilty without people looking at the entire case."

[>>RELATED: FOX25 Investigates local kennel concerns]

Sen. Bruce Tarr, who has spent years strengthening the laws against animal cruelty and neglect across the border in Massachusetts, wants an online registry for convicted animal abusers so that they can no longer have access to pets.

"It's absolutely offensive," Senator Tarr said of the deal in Rocheville's case. "This is the kind of issue that we need to stay focused on, so we don't create the opportunity for more abuse."

Cox Media Group

ADVERTISEMENT